

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

|                                   |   |                      |
|-----------------------------------|---|----------------------|
| U.S. CARD PARTNER SERVICES, INC., | : |                      |
|                                   | : |                      |
| Plaintiff,                        | : |                      |
|                                   | : |                      |
| v.                                | : | C.A. No.: 06-283 JJF |
|                                   | : |                      |
| DREW SCOPELLITI,                  | : | JURY TRIAL DEMANDED  |
|                                   | : |                      |
| Defendant.                        | : |                      |

**DEFENDANT’S MOTION TO DISMISS FOR LACK OF IN PERSONAM  
JURISDICTION AND/OR ON THE GROUNDS OF FORUM NON CONVENIENS; OR,  
IN THE ALTERNATIVE, FOR A CHANGE OF VENUE**

Now comes Defendant, Drew Scopelliti, by and through counsel, and pursuant to 12(b)(2) and (3), who moves to dismiss for lack of in personam jurisdiction and/or on the grounds of forum non conveniens. In the alternative, Defendant moves this Court to transfer venue to the Northern District of Illinois. The grounds for this motion are set forth in Defendant’s Opening Brief and the accompanying Affidavit of Drew Scopelliti.

Respectfully submitted,

**RICHARD R. WIER, JR., P.A.**

/s/ Richard R. Wier, Jr.  
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**CERTIFICATE OF SERVICE**

I certify that on this 12<sup>th</sup> day of July 2006, that I caused the attached document to be filed with the Clerk of the Court through CM/ECF, which will send notification of said filing to counsel of record.

**RICHARD R. WIER, JR., P.A.**

/s/ Richard R. Wier, Jr.

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